

REMARKS

Claims 3-6 are currently pending in the case. Claims 3 and 5 are in independent form. Claims 3 and 5 are amended by way of this response. No new matter has been added by these amendments (e.g., see ¶¶ 37-38). Please charge Deposit Account No. 02-1818 for any fees due in connection with this response.

The Office Action rejected independent claims 3 and 5 under 35 U.S.C. §102(e) as being anticipated by Cannon et al. (U.S. Patent No. 6,844,951), hereinafter *Cannon*.

Independent claim 3 recites, inter alia, "at least one light sensor arranged at an edge region of the projection light bundle, the at least one light sensor using a modulated brightness level obtained from the at least one light sensor and a counter to detect (i) a position of the oscillating mirror and (ii) a specific characteristic of the modulated brightness level." Similarly, claim 5 recites, inter alia, "detecting an oscillation status of an oscillating mirror, a position of the oscillating mirror, and a specific characteristic of the modulated brightness level using the modulated brightness level obtained from the light sensor and using a counter."

For example, the claimed system may require the detection of a specific regular signal (as opposed to a random signal). *Cannon* fails to teach this feature. In *Cannon*, the light signal is modulated only in the on/off sense to write pels to a toner drum.

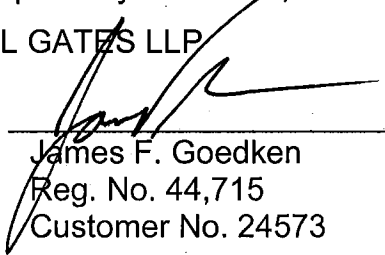
For at least these reasons, amended independent claims 3 and 5 are patently distinguished over *Cannon* and are in condition for allowance. Claims 4 and 6 depend directly from claims 3 and 5 respectively and are allowable for at least the same reasons.

Accordingly, all pending claims are in condition for allowance, and the rejection should be withdrawn. An earnest endeavor has been made to place this application in

condition for formal allowance, and in the absence of more pertinent art, such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,
K&L GATES LLP

BY



James F. Goedken
Reg. No. 44,715
Customer No. 24573

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